

ZB# 90-11

James Aylward

75-1-24

Prelim:

Apr. 23, 1990.

Apps. furnished

Bond needs!!

① Copy of deed &

② Photos. Title Policy

Public Hearing:

Sept. 10, 1990.

Notice to

Sentinel on 7/25/90.

Paid \$25.00

Area variance

Granted

9/10/90.

#90-11

Aylward, James
Rear yd.

General Receipt

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

11-11
Sept. 11 19 90

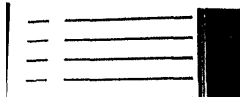
Received of James J. Murphy Board \$ 25.00
Twenty Five and 00 DOLLARS

For Young Board Variance # 90-11

DISTRIBUTION		
FUND	CODE	AMOUNT
Check # 25.00		
# 888		

By William S. Tarnan
Tarnan Clerk

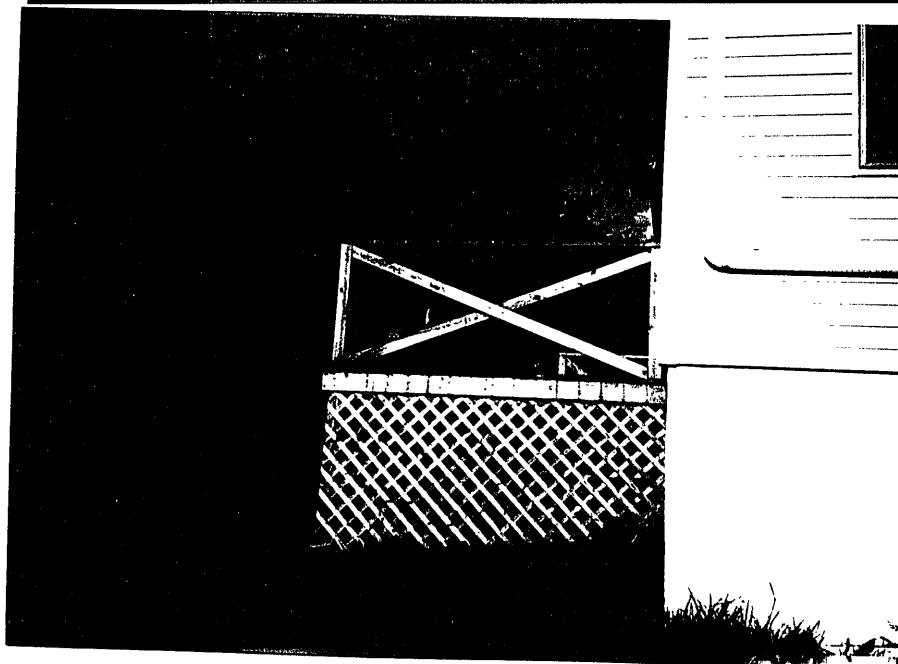
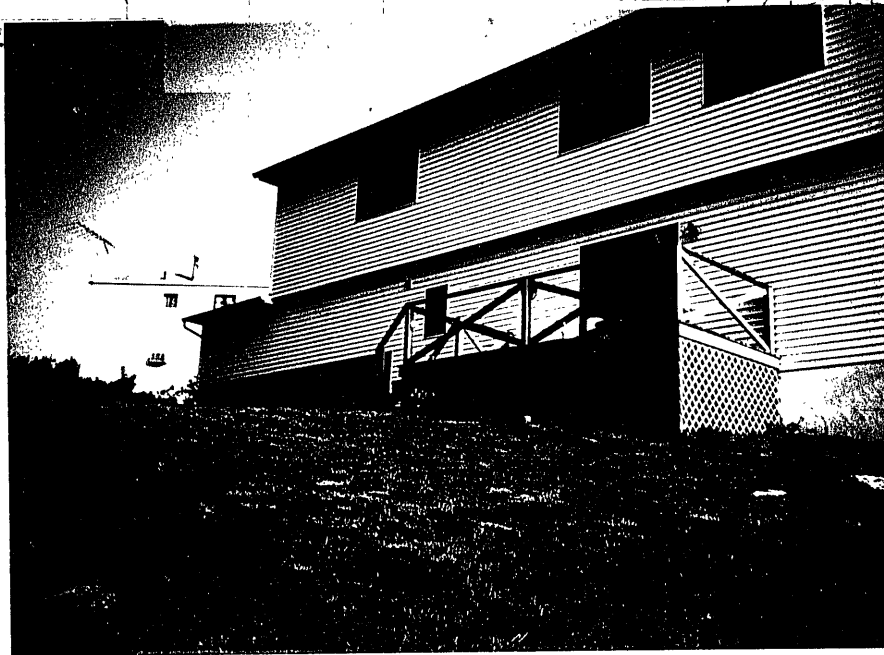
Williamson Law Book Co., R



FUND	CODE	AMOUNT
1500	100	
2000	100	
3000	100	
4000	100	
5000	100	
6000	100	
7000	100	
8000	100	
9000	100	

By W. L. King

7000.00



Koark, Vames
Barryd.



(ZBA DISK#6-082790.FD)
NEW WINDSOR ZONING BOARD OF APPEALS

-----X
In the Matter of the Application of
JAMES W. AYLWARD,

DECISION GRANTING
AREA VARIANCE

#90-11.
-----X

WHEREAS, JAMES W. AYLWARD, 50 Poe Court, New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for a 12 ft. rear yard variance to replace a deck with wider additional room located at the above address in an R-4 zone; and

WHEREAS, a public hearing was held on the 10th day of September, 1990 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant and his wife, MARY CAROLE AYLWARD, appeared on behalf of themselves; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the bulk regulations with regard to rear yard in order to allow replacement of a deck with a somewhat wider additional room, to be added to the rear of the existing residential dwelling located at the above address in an R-3 zone.

3. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable rear yard would be required in order for applicant to replace the deck with the wider additional room which otherwise would conform to the bulk regulations in the R-4 zone; and rejection of same would cause practical difficulty.

4. The evidence presented by applicant indicated that the builder failed to locate the house on the lot, which is pie-shaped, the way that the applicant requested. The house with the existing deck, as constructed by the builder, probably required a rear yard variance, but the builder never applied for any variance.

5. The proposed additional room is minimally wider, by some four feet, than the deck which it replaces. However, due to the

builder's prior omission in obtaining a variance, this application is for a 12 ft. rear yard variance.

6. The applicant desires to construct an additional room, rather than maintaining the existing deck to gain a measure of privacy, due to the location of the house on the lot and frequent use of the yard by neighborhood children cutting through the property.

7. The applicant has shown practical difficulty in that the location of the house on the pie-shaped lot is such that the additional room cannot be located in such a way that a lesser variance, or no variance, would be required.

8. The requested variance is not substantial in relation to the required bulk regulations.

9. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

10. The requested variance will produce no effect on the population density or governmental facilities.

11. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.

12. The interest of justice would be served by allowing the granting of the requested variance.

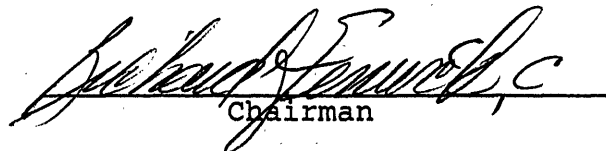
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 12 ft. rear yard variance sought by Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 24, 1990.


Chairman

(ZBA DISK#6-053085.FD)



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Prelim.
4/23/90
7:30 pm

90-11

1763

NOTICE OF DISAPPROVAL OF BUILDING PERMIT

FILE NUMBER

90-5

TO:

JAMES AYLWARD

50 POE CT.

NEW WINDSOR, NY. 12553

PHONE 562-1954

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3/26/90,

FOR PERMIT TO REMOVE DECK - REPLACE WITH A ROOM.

AT 50 POE CT. IS DISSAPROVED ON THE

FOLLOWING GROUNDS NEEDS 40' REAR YARD - WILL HAVE 28'
FROM STRUCTURE TO PROPERTY LINE.

ZONE R-4

TYPE OF VARIANCE

AREA / REAR YARD

REQUIREMENTS

PROPOSED

VARIANCE

REQUIRED 40

28

12

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

Pat Barnhart

BUILDING/ZONING INSPECTOR

3/26/90

SECTION 4

MELV

POE
CT

EST.
-KEATS-

DRIVE

NO. - 69

WINDSOR 91 COUNTRY

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
 Approved.....19.....
 Disapproved a/c.....
 Permit No.

Office of Building Inspector
 Michael L. Babcock
 Town Hall, 555 Union Avenue
 New Windsor, New York 12550
 Telephone 565-8807

Refer —
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

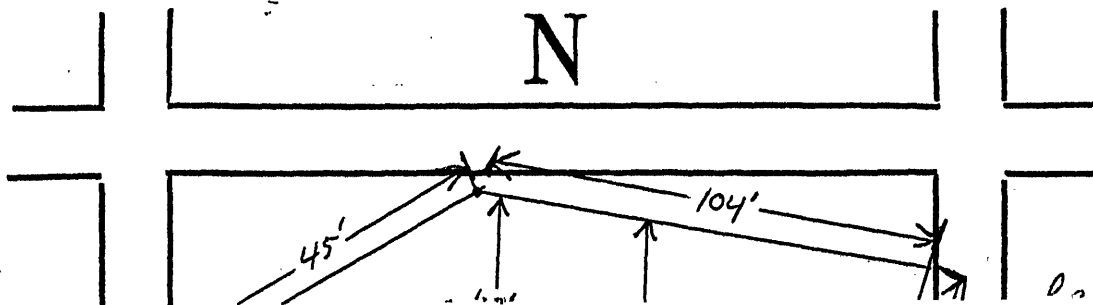
.....
 (Signature of Applicant)

14 Oak Ave., Highland Falls, N. Y. 10928
 (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

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Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

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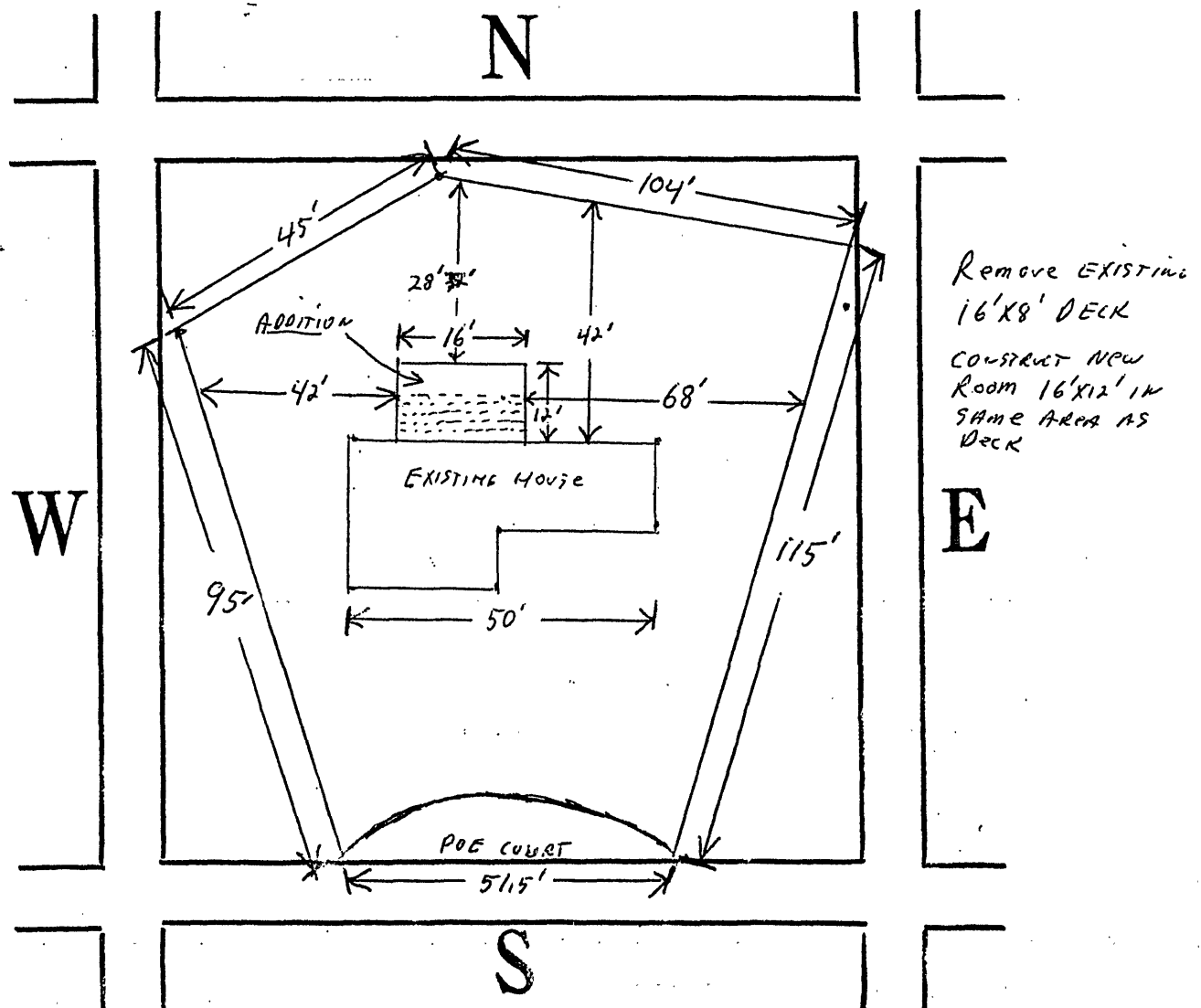
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Thomas Kozak
(Signature of Applicant)

14 Oak Ave, Highland Falls, N.Y. 10928
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- ~~2~~-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- ~~3~~-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4-WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5-INSULATION.
- 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED LOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
- ~~7~~-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
- 8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9-PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10-THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- ~~11~~-SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- ~~12~~-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- ~~13~~-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.

Name of Owner of Premises JAMES A. WARD
Address 50 Poe Ct., New Windsor N.Y. Phone 562-1954
Name of Architect FRANK CARLINO
Address P.O. Box 503, Rt. 32 Cornwall, N.Y. Phone 534-7251
Name of Contractor Tom's Home Improvements
Address 14 Oak Ave. Highland Falls, N.Y. Phone 446-5428
State whether applicant is owner, lessee, agent, architect, engineer or builder
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the NORTH side of Poe Court
(N S. E. or W.)
and 100 feet from the intersection of Keats Drive

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

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- 2-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
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- 6-PLUMBING FINAL & FINAL: HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
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Name of Architect FRANK CARLINO

Address PO Box 503, Rt. 32, Cornwall, N.Y. Phone 534-7251

Name of Contractor Tom's Home Improvements

Address 14 Oak Ave. Highland Falls, N.Y. Phone 446-5428

State whether applicant is owner, lessee, agent, architect, engineer or builder BUILDER
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the NORTH side of Poe Court
(N S. E. or W.)
and 100 feet from the intersection of Keats Drive

2. Zone or use district in which premises are situated

3. Tax Map description of property: Section 75 Block 1 Lot 24

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy Single Family Dwelling b. Intended use and occupancy SAME

5. Nature of work (check which applicable): New Building..... Addition ☒ Alteration..... Repair..... Removal.....
Demolition..... Other.....

6. Size of lot: Front 51.60' Rear 138' Depth 115' Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot? NO

7. Dimensions of entire new construction: Front 16' Rear 16' Depth 12' Height 8' Number of stories 1

8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor.....
Number of bedrooms..... Baths..... Toilets.....
Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....
If Garage, number of cars.....

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost \$8,000.00 Fee
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

Section 075 Block 301 Lot 570 Class

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

90-11.

7/25/90.

Date: _____

I. Applicant Information:

- (a) James W. & Mary Carole Aylward - 50 Poe Ct., New Windsor, N.Y.
(Name, address and phone of Applicant) (Owner) 12553
- (b) NA
(Name, address and phone of purchaser or lessee)
- (c) NA
(Name, address and phone of attorney)
- (d) NA
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation.

III. Property Information:

- (a) Residential 50 Poe Court 75/001/024 0.2366 acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 12/85
- *(e) Has property been subdivided previously? No When? _____
- *(f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

* Not to our knowledge re. previous owner - J. Rosen & Co.

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. G.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	<u>1</u>	<u>1</u>
Reqd. Rear Yd.	<u>40'</u>	<u>28'</u>
Reqd. Street Frontage*		<u>12'</u>
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

1- Rear Yard affords little or no privacy due to frequent use by area youngsters cutting through for convenience
2- Mrs. Aylward has lymph disease and outdoor activities are limited on advice of doctor
3- Planned addition will be connected to main structure in most practical location - thus necessitating the variance.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

Owners request permit to remove deck - replace with room which will yield a 28' rear yard from structure to property line. Since a 40' rear yard is required, owners are requesting a 12' variance to complete this project.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

All conditions of safety will be met
The appearance of house and property will only be enhanced by addition.

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement. Deed.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- N/A. Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Mellon:

Apr. 23rd
7:30pm

NOTICE OF DISAPPROVAL OF BUILDING PERMIT

1763

FILE NUMBER

90-5

TO:

JAMES AYLWARD

50 POE CT.

NEW WINDSOR, NY. 12553

Phone 562-1954

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED

3/26/90

FOR PERMIT TO REMOVE DECK - REPLACE WITH A ROOM.

AT

50 POE CT.

IS DISSAPROVED ON THE

FOLLOWING GROUNDS NEEDS 40' REAR YARD - WILL HAVE 28'

FROM STRUCTURE TO PROPERTY LINE.

ZONE

R-4

TYPE OF VARIANCE

AREA

REQUIREMENTS

PROPOSED

VARIANCE

REQUIRED 40

28

12

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

Jim J. Scannone

BUILDING/ZONING INSPECTOR

3/26/90

X. AFFIDAVIT

Date 7/25/90.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Mary Carol Delward
(Applicant)

Sworn to before me this

25th day of July, 1990.

Patricia A. Barnhart

PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 1991.

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 5th day of December, nineteen hundred and eighty-five
BETWEEN INBRO HOMES, INC, a domestic corporation with its principal
 place of business at 11 New Street, Englewood Cliffs,
 New Jersey,

party of the first part, and JAMES W. AYLWARD and MARY CAROLE AYLWARD, husband
 and wife, both residing at 63F Kenwood Drive,
 New Windsor, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN-----
 ----- (\$10.00) -----dollars,

lawful money of the United States, and other good and valuable consideration paid
 by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
 successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
 lying and being in the Town of New Windsor, County of Orange, State of New
 York, being designated as Lot No. 24, Block "C" of a map entitled
 "Windsor Country Club Estates, Town of New Windsor, Orange County,
 New York", dated December 23, 1971, last revised January 16, 1974,
 filed in the Office of the Orange County Clerk, April 1, 1974 as
 Map No. 3169. Said premises being more particularly bounded and
 described as follows:

BEGINNING at an iron pin found in a hole cut in the asphalt surface
 being the center point of a 60' radius Right of Way describing Poe
 Court, said Poe Court being located in the Town of New Windsor,
 thus running along a radius having a bearing of N 6° 54' 07" W.
 60.00' to an iron pipe in the Right of Way of Poe Court, said point
 being the point and place of beginning of parcel 24 about to be
 described; continuing thence N 6° 54' 07" W. 94.98' along the bound-
 ary of Chacon to an iron pipe in the boundary of Hinspeter and
 Crapanzano; running thence along the boundary of Hinspeter and
 Crapanzano N 77° 12' 00" E. 45.00' to an iron pipe in the boundary
 of the lands of B.O.C.E.S.; running thence along the boundary of
 aforementioned owner passing over an iron pipe at a distance of
 44.12' at the top of a slope S 69° 09' 59" E. 104.12' to a pipe
 found in the boundary of J. & M. Babicz; running thence along the
 boundary of J. & M. Babicz S 44° 01' 44" W. 116.32' to an iron pipe
 in the Right of Way of Poe Court, thence along the Right of Way of
 Poe Court on a curve having a 60' radius and an arc of 53.33' long;
 or on a chord 51.60' long and on a bearing N 71° 24' 34" W to the

75-1-24

100-256

party of the first part, and JAMES W. AYLWARD and MARY CAROLE AYLWARD, husband and wife, both residing at 63F Kenwood Drive, New Windsor, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN-----
----- (\$10.00) -----dollars,

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, being designated as Lot No. 24, Block "C" of a map entitled "Windsor Country Club Estates, Town of New Windsor, Orange County, New York", dated December 23, 1971, last revised January 16, 1974, filed in the Office of the Orange County Clerk, April 1, 1974 as Map No. 3169. Said premises being more particularly bounded and described as follows:

BEGINNING at an iron pin found in a hole cut in the asphalt surface being the center point of a 60' radius Right of Way describing Poe Court, said Poe Court being located in the Town of New Windsor, thus running along a radius having a bearing of N 6° 54' 07" W. 60.00' to an iron pipe in the Right of Way of Poe Court, said point being the point and place of beginning of parcel 24 about to be described; continuing thence N 6° 54' 07" W. 94.98' along the boundary of Chacon to an iron pipe in the boundary of Hinspeter and Crapanzano; running thence along the boundary of Hinspeter and Crapanzano N 77° 12' 00" E. 45.00' to an iron pipe in the boundary of the lands of B.O.C.E.S.; running thence along the boundary of aforementioned owner passing over an iron pipe at a distance of 44.12' at the top of a slope S 69° 09' 59" E. 104.12' to a pipe found in the boundary of J. & M. Babicz; running thence along the boundary of J. & M. Babicz S 44° 01' 44" W. 116.32' to an iron pipe in the Right of Way of Poe Court, thence along the Right of Way of Poe Court on a curve having a 60' radius and an arc of 53.33' long; or on a chord 51.60' long and on a bearing N 71° 24' 34" W to the point and place of beginning of said described parcel, said point also being located on a radius 60' long and continuing on a bearing of S 44° 01' 40" W to the center of Poe Court said parcel containing 10307 square feet or 0.2366 acres.

This conveyance is made in the regular course of business as conducted by the party of the first part and does not constitute all or substantially all of the grantor's assets.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

CO. OF THE FIRST PART
2000
SALVAGE

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

COPIED FROM
RECORDS OF THE
COUNTY OF LOS ANGELES

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

INBRO HOMES, INC.

By: Joseph Rosen, V.P.
Joseph Rosen, Vice President

On the _____ day of _____ 19____, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF _____

ss:

On the _____ day of _____ 19____, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF Orange

ss:

On the 5th day of December 1985, before me personally came Joseph Rosen to me known, who, being by me duly sworn, did depose and say that he resides at No. 32 Pine Hill Road Old Tappan, New Jersey ; that he is the Vice President of

Inbro Homes, Inc., the corporation described in and which executed the foregoing instrument; that ~~he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.~~
of the BOARD OF DIRECTORS SAID CORPORATION

STEPHEN L. REINEKE
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1987

STATE OF NEW YORK, COUNTY OF _____

ss:

On the _____ day of _____ 19____, before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____ ; that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. 0918606

INBRO HOMES, INC.

TO

JAMES W. AYLWARD &
MARY CAROLE AYLWARD

SECURITY TITLE & GUARANTY CO
22 MULBERRY STREET
MIDDLETOWN, N.Y. 10840
LOT 24

COUNTY OR TOWN of New Windsor

RETURN BY MAIL TO:

LEONARD J. MCCUE, ESQ.
P.O. Box 2266
Newburgh, New York 12550
Zip No. _____

Recording Office.

STATE OF NEW YORK, COUNTY OF Orange

ss:

On the 5th day of December 1985, before me personally came Joseph Rosen to me known, who, being by me duly sworn, did depose and say that he resides at No. 32 Pine Hill Road Old Tappan, New Jersey ; that he is the Vice President of

Inbro Homes, Inc., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

of the BOARD OF DIRECTORS SAID CORPORATION

STEPHEN L. REINEKE
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1987

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

0918606

INBRO HOMES, INC.

TO

JAMES W. AYLWARD &
MARY CAROLE AYLWARD

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. ;

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

SECURITY TITLE & GUARANTY CO
22 MULBERRY STREET
MIDDLETOWN, N.Y. 10860

LOT 24

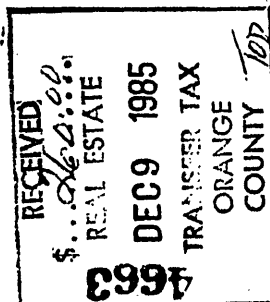
COUNTY OR TOWN of New Windsor

RETURN BY MAIL TO:

LEONARD J. MCCUE, ESQ.
P.O. Box 2266
Newburgh, New York 12550

Zip No.

Reserve this space for use of Recording Office.



LIBER 2440 PG 21

Orange County Clerk's Office, S.S.

Recorded on the 5th day of Dec 1985 at 1:54 o'clock P.M. in Liber 2440 at page 21

and Examined.

John J. Murphy
Clerk



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

48 return
receipts
rec'd.

(51)

May 1, 1990

James W. & Mary Carole Aylward
50 Poe Court
New Windsor, NY 12553

Re: Tax Map Parcel #75-1-24

Dear Mr. & Mrs. Aylward:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$75.00, minus your deposit of \$25.00. Please remit the balance of \$50.00 to the Town Clerk, Town of New Windsor, NY.

Sincerely,

Leslie Cook/af

LESLIE COOK
Sole Assessor

LC/cp
Attachments

cc: Patricia Barnhardt

Clinton, Frank & Sally
452 Union Ave.
New Windsor, NY 12553

Gutheil, Douglas E. & Rosemary E.
446 Union Ave.
New Windsor, NY 12553

Town of New Windsor
555 Union Ave.
New Windsor, NY 12553

Board of Cooperative Educational Services
Gibson Road
Goshen, NY 10924

Warmers, Fredric J., Trustee for Antonia Warmers ETAL.
PO Box 148
Newburgh, NY 12550

Grehl, James A. & Judy Lynn
24 Cimorelli Drive
New Windsor, NY 12553

Herrman, William V. & Enid H.
23 San Giacomo Dr.
New Windsor, NY 12553

McCormack, Kevin & JoAnn
21 San Giacomo Dr.
New Windsor, NY 12553

Awshee, Matthew & Milica
19 San Giacomo Dr.
New Windsor, NY 12553

Elias, Antonio P. & Gladys
17 San Giacomo Dr.
New Windsor, NY 12553

Hart, Raymond & Mary
15 San Giacomo Dr.
New Windsor, NY 12553

Rabinowe, Ilene S. & Fredric
13 San Giacomo Dr.
New Windsor, NY 12553

Ayerdis, Elia
& Mario & Alejandro Martiniz
3 San Giacomo Dr.
New Windsor, NY 12553

Salgado, Victor & Rosa L.
36 Keats Dr.
New Windsor, NY 12553

Cuomo, Paul V. & Jacqueline L.
38 Keats Dr.
New Windsor, NY 12553

Gillen, John N. & Brenda
40 Keats Dr.
New Windsor, NY 12553

Karp, Leonard A. & Linda B.
42 Keats Dr.
New Windsor, NY 12553

Glick, Judith
44 Keats Dr.
New Windsor, NY 12553

Ackerman, Scott
& Linda Tautillo
46 Poe Ct.
New Windsor, NY 12553

Goldberg, Harry
48 Poe Ct.
New Windsor, NY 12553

Chacon, Jorge R. & Myriam
52 Keats Dr.
New Windsor, NY 12553

Hinspeter, Jr. Timothy & Patricia
& Crapanzano, Anthony & Anne
202 Melville Dr.
New Windsor, NY 12553

Buconjic, Marijan & Alojzija
204 Melville Dr.
New Windsor, NY 12553

Shankman, Harvey & Marcia
206 Melville Dr.
New Windsor, NY 12553

Arteaga, Victor & Joann
208 Melville Dr.
New Windsor, NY 12553

Mongelli, Paul & Joni
210 Melville Dr.
New Windsor, NY 12553

Ohtako, Rydhei & Keiko
212 Melville Dr.
New Windsor, NY 12553

Del-Rosso, Domenick & Esther
214 Melville Dr.
New Windsor, NY 12553

Colonnelli, Raymond & Elizabeth
33 Keats Dr.
New Windsor, NY 12553

Acunzo, Thomas G. & Janice A.
37 Keats Dr.
New Windsor, NY 12553

Mylonas, Pope & Dimitrios
41 Keats Dr.
New Windsor, NY 12553

Heater, Richard M. & Mary F.
43 Keats Dr.
New Windsor, NY 12553

Reimer, Mark A. & Sheila
45 Keats Dr.
New Windsor, NY 12553

DeSousa, Adriano & Beatriz
51 Keats Dr.
New Windsor, NY 12553

Zielinski, Stanley & Halina
53 Keats Dr.
New Windsor, NY 12553

Sacco, Dennis A. & Madelyn
55 Keats Dr.
New Windsor, NY 12553

Zielinski, Lech & Jolanta
57 Keats Dr.
New Windsor, NY 12553

Stamp, Gary D. & Karen A.
59 Keats Dr.
New Windsor, NY 12553

Jordan, John B. & Lois A.
207 Melville Dr.
New Windsor, NY 12553

Dietz, Eileen
205 Melville Dr.
New Windsor, NY 12553

Casale, Emil A. & Regina
203 Melville Dr.
New Windsor, NY 12553

Sandroff, Ronald H. & Carol M
& Ambrosio, Alfonzo J. & Vincenzo
201 Melville Dr.
New Windsor, NY 12553

Luisi, Joseph F. & Louise J.
300 Stephenson Lane
New Windsor, NY 12553

Altschuler, Abraham
302 Stephenson Lane
New Windsor, NY 12553

Guelberg, John Herman & Erna
304 Stephenson Lane
New Windsor, NY 12553

Mylonas, Dimitrios & Pope
306 Stephenson Lane
New Windsor, NY 12553

Epstein, Jerry H. & Judith L.
305 Stephenson Lane
New Windsor, NY 12553

Baroud, Khaled & Pamela
307 Stephenson Lane
New Windsor, NY 12553

Shiels, Bernadette & Frederick L.
58 Keats Drive
New Windsor, NY 12553

Montone, Richard & Diane M.
211 Melville Drive
New Windsor, Ny 12553

Grech, John M.
332 Hemingway Drive
New Windsor, NY 12553

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 11

Request of James W. Aylward & Mary Carol Aylward
for a VARIANCE of

the regulations of the Zoning Local Law to
permit construction of addition to residential
dwelling w/ insufficient rearyard;
being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regs. - Col. G.
for property situated as follows:

50 Poe Court, New Windsor, N.Y. 12553.
Known & designated as tax lot Sec. 75-
Blk. 1 - Lot 24.

SAID HEARING will take place on the 10th day of
Sept., 1990., at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

Richard Fenwick
Chairman

Description

James W & Mary Carole Alward

Beginning at an iron pin (found) in a hole cut in the asphalt surface being the center point of a 60' radius R.O.W. describing Poe Court, said Poe Court being located in the Town of New Windsor Thence running along a radius having a bearing of $N 60^{\circ} - 54' - 07'' W$, 60.00' to an iron pipe in the R.O.W. of Poe Court, said point being the point and place of beginning of the parcel (24) about to be described; continuing thence $N 60^{\circ} - 54' - 07'' W$, 94.98' along the boundary of CHACON to an iron pipe in the boundary of Hinspeter and Crapanzano; running

Thence along the boundary of Hingspeter
and Crapanzano $N77^{\circ}12'00''E$, 45.00'
to an iron pipe in the boundary of
the lands of the B. O. C. E. S.
; running thence
along the boundary of afore mention-
ed owners passing over an iron pipe
at a distance of 44.12' at the top of a slope $S69^{\circ}09'59''E$,
104.12' to a pipe (found) in the boundary
of V. & M. BABICZ; Running thence along
the boundary of V. & M. BABICZ to an
iron pipe in the R.O.W. of Poc Court
said point is located on a curve having
a 60' radius and an arc of 53.33' long;
or on a chord 51.60' long and on a bearing

N 71°-24'-54" W to the point and
place of beginning of and described
parcel said point also being located
on a radius 60' long and continuing on a bearing
of S 44°-01'-40" W to the center of Poc
Court said parcel containing 10307 sq ft
or 0.2366 acres.